

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

In the Matter of the Complaint of
DAVID ATKINSON and DAVID
ATKINSON d/b/a ALLSTAR MARINE
& POWERSPORTS, Owner of a 2019
Sea-Doo Fish Pro with Hull
Identification No. YDV10275L819
For Exoneration From or Limitation
of Liability,

Case No. 21-cv-00044
Hon.

In Admiralty

Plaintiff.

**DECLARATION OF DAVID ATKINSON
OF VALUE OF VESSEL AND FREIGHT PENDING**

I, David Atkinson d/b/a Allstar Marine & Powersports, state that if I were called to testify in connection with the captioned matter, I would, based upon my personal knowledge and information, competently testify as to the following facts:

1. I am the owner of that certain 2019 Sea-Doo Fish Pro with Hull Identification No. YDV10275L819 (“the Vessel”), which is the subject of the Complaint for Exoneration from or Limitation of Liability filed in this action.

2. I purchased the Vessel in in the spring of 2020 on a dealer trade with another boat store. The manufacturer’s suggested retail price for the vessel was then \$14,800.

3. The Vessel is a personal watercraft and used solely for recreational purposes. It is not used for any commercial purpose.

4. I have owned and operated power boats, fishing boats and jet-skis on inland waters for over 15 years , both locally and in the Great Lakes. I have owned and operated Allstar Marine & Powersports for over six years, and through that, I have been in the business of selling

and servicing power boats and many types of recreational watercraft of many types. I operated the vessel at issue on many occasions in the two months preceding the incident in this case.

5. I viewed and inspected the Vessel after the Occurrence. When I arrived on the scene after the accident, the Vessel was still lodged in the pontoon boat with which it had collided. The hull of the Vessel had been split under the bow and the engine was dismounted from the engine mount. The Vessel was inoperable, and I concluded from my personal observation and inspection, based on my experience with jet skis and recreational vessels, and the experience gained through my business, that the Vessel was damaged beyond repair, the cost of any repairs would exceed its value, and that the Vessel was a total loss, and has no value.

6. On July 25, 2020, at the time of the Occurrence, the Vessel was being used as a personal watercraft and there was no freight due and pending on the voyage.

I, David Atkinson, declare under penalty of perjury that the foregoing is true and correct.


DAVID ATKINSON

Executed on March 8, 2021.

Prepared By:

Paul D. Galea (P29250)
Adam P. Sadowski (P73864)
GALLAGHER SHARP, LLP
211 West Fort Street, Suite 660
Detroit, MI 48226
(313) 962-9160 / (313) 962-9167 Fax
pgalea@gallaghersharp.com
asadowski@gallaghersharp.com

Robert L. Reeb (Admission Pending)
Shari L. Friedman (Admission Pending)
MARWEDEL, MINICHELLO & REEB, P.C.
Attorneys for Plaintiff
303 W. Madison Street, Suite 1100
Chicago, IL 60606
(312) 902-1600 / (312) 902-9900 Fax
rreeb@mmr-law.com
sfriedman@mmr-law.com